



H.C.P.No.2144 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.10.2022

Coram

The Honourable Mr. Justice **P.N.PRAKASH**  
and  
The Honourable Mr. Justice **RMT.TEEKAA RAMAN**

H.C.P.No.2144 of 2022

S.Seenivasan

.. Petitioner

Vs

1.State of Tamil Nadu represented by  
its Superintendent of Police,  
Salem District, Salem.

2.The Inspector of Police,  
Ethappur Police Station,  
Salem District.

3.Gopi @ Gopinath

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the respondents to produce the petitioner's daughter Jeevitha, aged about 16 years, before this Court and hand over her to the petitioner.



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For Petitioner : Mr.Charles Kamalesh M.Appaji

For RR 1 and 2 : Mr.R.Muniyapparaj  
Addl. Public Prosecutor

**ORDER**

(Made by *P.N.PRAKASH, J.*)

This habeas corpus petition has been filed by the petitioner seeking a direction to the respondents to produce his daughter Jeevitha, aged about 16 years, before this Court and hand over her to him.

2. It is the case of the petitioner that his daughter Jeevitha, aged about 16 years, went missing from 14.09.2022 and that the police are not taking effective steps to secure her.

3. Today, G.Sivaji (Mobile No.94981 68278), Special Sub-Inspector of Police, Ethappur Police Station, Salem District, is present.



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4. On instructions, the learned Additional Public Prosecutor submitted that Jeevitha was in love with Gopinath, third respondent herein and eloped with him on 18.08.2021, in connection with which, on a complaint given by the petitioner, a case in Ethappur Police Station Crime No.399 of 2021 was registered on 19.08.2021 for “girl-missing”; thereafter, the FIR was altered to one under Section 366 IPC and the provisions under the Protection of Children from Sexual Offences Act, 2012, were also added subsequently; Gopinath was arrested by the police on 21.08.2021 and remanded in judicial custody; Jeevitha was secured and restored to her parents; after Gopinath was released on bail on 21.12.2021, Jeevitha has once again eloped with Gopinath on 14.09.2022, in connection with which, a fresh case in Ethappur Police Station Crime No.388 of 2022 has been registered on 21.09.2022 under Section 366 IPC.

In such view of the matter, this habeas corpus petition stands closed with a direction to the Deputy Superintendent of Police, Vazhapadi Sub-Division, Salem District, to supervise the investigation in Crime No.388 of 2022 that is being conducted by the Inspector of Police, Ethappur Police



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Station, Salem and keep the petitioner informed of the developments, if any.

As and when the detenue Jeevitha, aged about 16 years, is secured, she shall be produced before the Judicial Magistrate Court No.I, Athur, Salem District, under intimation to the petitioner. On such production, the learned Magistrate may pass appropriate orders with regard to custody in accordance with law.

**(P.N.P., J.) (TKRJ)**  
**28.10.2022**

nsd

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- 1.The Judicial Magistrate No.I,  
Athur, Salem District.
- 2.The Deputy Superintendent of Police,  
Vazhapadi Sub-Division, Salem District.
- 3.The Superintendent of Police,  
Salem District, Salem.
- 4.The Inspector of Police,  
Ethappur Police Station,  
Salem District.
- 5.The Public Prosecutor,  
High Court, Madras.



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and  
**RMT.TEEKAA RAMAN, J.**

nsd

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